



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331

Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

May 10, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

54 May 10, 2011

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

COLIMA ROAD SLOPE FAILURE REPAIR PROJECT HACIENDA HEIGHTS

**ADOPT MITIGATED NEGATIVE DECLARATION – APPROVE PROJECT BUDGET ADOPT,
ADVERTISE, AND AWARD
(FOURTH DISTRICT) (3 VOTES)**

SUBJECT

This action will adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the project, approve the project budget, authorize the Department of Public Works (Public Works) to carry out the project, and will adopt the plans and specifications, advertise for bids, and award a contract for construction.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Consider the Mitigated Negative Declaration for the Colima Road Slope Failure Repair project, together with any comments received during the public review process; find on the basis of the whole record before your Board that there is no substantial evidence the project will have a significant effect on the environment; find that the Mitigated Negative Declaration reflects the independent judgment and analysis of your Board; adopt the Mitigation Monitoring and Reporting Program finding the program is adequately designed to ensure compliance with the mitigation measures.
2. Approve the \$2,700,000 project budget, and authorize the Director of Public Works to carry out the project.
3. Adopt plans and specifications that are on file in the Architectural Engineering Division of the Department of Public Works as a custodian of record for construction of the Colima Road Slope

Failure Repair project at an estimated \$1,200,000 construction cost, and instruct the Executive Officer of your Board to advertise for bids to be received and opened on June 7, 2011, in accordance with the Instruction Sheet for Publishing Legal Advertisements.

4. Authorize the Director of Public Works to execute a consultant services agreement with the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule for a \$3,500 not-to-exceed fee and establish the effective date.
5. Delegate to the Director of Public Works the authority to determine, in accordance with the applicable contract and bid specifications, whether the apparent Lowest Responsive and Responsible Bidder has timely prepared a satisfactory baseline construction schedule and satisfied all conditions for contract award, including the criteria adopted by your Board for contract award; to award and execute the construction contract, in the form previously approved by County Counsel, to the Lowest Responsive and Responsible Bidder; and to establish the effective date of the contract upon receipt by the Director of Public Works of acceptable Faithful Performance and Payment bonds and evidence of required contractor insurance.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will fulfill the requirements of the California Environmental Quality Act (CEQA) for the proposed project, protect the existing County roadway and private homes from further slope movement, and enable Public Works to deliver the project.

The proposed project involves repair of a slope failure that occurred on privately owned properties in a residential hillside area in Hacienda Heights adjacent to Colima Road. The slope movement requiring repair occurred in March 2005 following the heavy winter rains. This failure resulted in damage to the backyards of two private residences located at 15353 and 15360 Metropol Drive. Furthermore, this failure resulted in mud and debris flows onto Colima Road negatively impacting traffic flow along Colima Road, damaging public infrastructure, and causing a public safety hazard. This failure occurred on an engineered slope that was originally constructed by the County during construction of Colima Road.

Upon discovery of this failure, Public Works took immediate emergency action to stabilize the slope and clean up the debris from the public right of way. Public Works performed the necessary geotechnical soils investigations and engineering design services to address the needed permanent repairs. Public Works completed the needed designs in November 2010 and recommends installation of a gravity groundwater control program that includes installation of horizontal drains into the slope and construction of a concrete retaining wall at the toe of the slope. The proposed slope repair measures will increase the stability of the slope and provide better protection for the County roads and private properties adjacent to the hillside.

The County negotiated a final settlement with the owner of the private properties impacted by the slope failure to obtain the necessary easements required for installation and long-term maintenance of the horizontal drains that are to be installed within the private property boundaries. This final settlement agreement also includes the final settlement associated with repairing the damages caused to these properties by the slope failure. In consideration of the transfer to the County, the easements and rights of entry required to construct the project, and the granting of releases from all claims arising from the earth movement that occurred in 2005, the County agreed to pay the private property owner of the two properties impacted by the earth movement the amount of \$80,000. This

amount is included in the Project Budget Summary (Enclosure A) under the Land/Easement Acquisition line item. The County Claims Board approved this settlement agreement on March 7, 2011.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Community and Municipal Services (Goal 3) and Public Safety (Goal 5) by completing work that will protect adjoining residential homes and improving the safety of public infrastructure in the community.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund as a result of these actions.

The total estimated cost of the Colima Road Slope Failure Repair project, including easement acquisitions, construction, plans and specifications, plan check fees, consultant services, miscellaneous expenditures, and County services, is \$2,700,000.

The Project Schedule and Budget Summary are attached (Enclosure A).

The project cost will be financed with Proposition 1B funds under the Local Streets and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006. This project is included in the Fourth Supervisorial District's Road Construction Program in the Fiscal Year 2010-11 Road Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The construction contract contains terms and conditions supporting your Board's ordinances and policies, including, but not limited to: County Code Chapter 2.200, Child Support Compliance Program; County Code Chapter 2.202, Contractor Responsibility and Debarment; County Code Chapter 2.203, Contractor Employee Jury Service Program; County Code Chapter 2.206, Defaulted Property Tax Reduction Program; Board Policy 5.050, County's Greater Avenues for Independence and General Relief Opportunities (GAIN/GROW); Board Policy 5.060, Reporting of Improper Solicitations; Board Policy 5.110, Contract Language to Assist in Placement of Displaced County Workers; and Board Policy 5.135, Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law).

Applicable law, including the State Public Contract Code, requires the County to award construction contracts to the apparent Lowest Responsive and Responsible Bidder, which refers to the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be "responsive" to specific criteria under the solicitation, including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a "responsible" bidder by exhibiting the quality, fitness, capacity, experience, and trustworthiness to satisfactorily perform the work required under the bid solicitation.

To ensure that the contract is awarded to the Lowest Responsive and Responsible Bidder with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the

contractors' State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy 5.140, the information reported by the contractor will be considered before making a recommendation to award.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees that they may be eligible for the Federal Earned Income Credit under the Federal income tax law (Federal Income Tax Law, Internal Revenue Service Notice 1015).

This project is exempt from your Board's Civic Art Policy adopted on December 7, 2004, because it is an infrastructure project.

ENVIRONMENTAL DOCUMENTATION

An Initial Study was prepared for this project in compliance with CEQA. The Initial Study identified one potential significant effect of the project aesthetics. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, revisions in the project were made or agreed to which would avoid the effects or mitigate the effects to a point where clearly no significant effect would occur, as follows:

Aesthetics: Construction of a new retaining wall and regrading the hillside may have a significant impact on the existing visual character. Therefore, in order to mitigate for potential significant impact, Public Works will require the contractor to hydroseed the regraded hillside. Public Works will include requirement for the new retaining wall to have a textured finish to simulate native material and blend in with the surrounding environment.

The Initial Study and project revisions showed that there is no substantial evidence, in light of the whole record before the County, that the project as revised may have a significant effect on the environment. Based on the initial study and project revisions, a Mitigated Negative Declaration was prepared for this project. Public notice was published in the San Gabriel Valley Tribune on July 3, 2009, pursuant to Public Resources Code Section 21092. Copies of the draft Mitigated Negative Declaration for public review provided to the Hacienda Heights Library and Whittwood Branch Library are available at our Headquarters building. Notices regarding the availability of the draft Mitigated Negative Declaration was also mailed to residents within the vicinity of the project. There were no organizations or individuals who previously requested notice.

Comments were received from one resident. Responses to those comments are included in Enclosure B of the Mitigated Negative Declaration.

The location of the documents and other materials constituting the record of the proceedings upon which your Board's decision is based in this matter is the County of Los Angeles Department of Public Works, Programs Development Division, 900 South Fremont Avenue, 11th Floor, Alhambra, California 91803. The custodian of such documents and materials is Mr. Ed Dingman. The Mitigation Monitoring and Reporting Program for the project is attached (Enclosure B). The project is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. Upon your Board's adoption of the Mitigated Negative Declaration, Public Works will file a Notice of

Determination in accordance with Section 21152(a) of the California Public Resources Code and pay the required filing and processing fees with the Registrar-Recorder/County Clerk in the amount of \$2,119.

CONTRACTING PROCESS

A standard contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contracts.

Advertising for bids will be in accordance with the County's standard Instruction Sheet for Publishing Legal Advertisements (Enclosure C).

As requested by your Board on February 3, 1998, this contract opportunity will be listed on the Doing Business with Us website.

The contract requires the contractor to pay its employees applicable prevailing wages in accordance with the California Labor Code.

Participation by Community Business Enterprises (CBEs) in the project is encouraged through Public Works' Capital Projects' CBE Outreach Program and by monitoring the good faith effort of bidders to utilize CBEs.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no impact on current County services or projects during the performance of the recommended services.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Project Management Division II.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER
Director

GF:JFK:bb

Enclosures

c: Executive Office, Board of Supervisors
Auditor-Controller
Chief Executive Office (Olga Shahun)
Civic Arts Commission
County Counsel
Office of Affirmative Action Compliance
Department of Public Social Services
(GAIN/GROW Program)

May 10, 2011

ENCLOSURE A

**COLIMA ROAD SLOPE FAILURE REPAIR PROJECT
HACIENDA HEIGHTS
ADOPT MITIGATED NEGATIVE DECLARATION – APPROVE PROJECT BUDGET
ADOPT, ADVERTISE, AND AWARD
(FOURTH DISTRICT) (3 VOTES)**

I. PROJECT SCHEDULE

Project Activity	Completion Date
Project Design	
Construction Documents	11/22/10
Jurisdictional Approvals	12/27/10
Bid and Award	08/11/11
Construction	
Substantial Completion	01/19/12
Acceptance	03/21/12

II. PROJECT BUDGET SUMMARY

Budget Summary		Total Project Budget
Land/Easement Acquisition		\$ 80,000
Construction		
Job Order Contract (Site Work)		\$ 1,200,000
Bid Contingency (0 percent)		\$ 0
Change Orders – Construction		\$ 180,000
Demolition		\$ 0
Utility Connection Fee		\$ 0
Departmental Crafts		\$ 0
Youth Employment		\$ 0
Equipment		\$ 0
Construction Consultants		\$ 0
Miscellaneous Expense		\$ 0
Telecomm Equipment – Affixed to Building		\$ 0
Gordian Group		\$ 0
Civic Arts		N/A
	Subtotal	\$ 1,380,000
Programming/Development		\$ 0
Plans and Specifications		\$ 0
Consultant Services		
Deputy Inspection		\$ 40,000
Site Planning		\$ 0
Methane Consultant		\$ 0
Geotech/Soils Test		\$ 40,000
Cost Estimating/Constructability Reviews		\$ 0
Topographic Surveys		\$ 0
Construction Management		\$ 0
Construction Administration		\$ 0
Environmental		\$ 0
Move Management		\$ 0
Equipment Planning		\$ 0
Legal		\$ 0
Scheduling		\$ 0
Contract/Change Order		\$ 0
Other		\$ 0
	Subtotal	\$ 80,000
Miscellaneous Expenditures		
Printing		\$ 10,000
Furniture, Fixtures, and Equipment		\$ 0
	Subtotal	\$ 10,000

II. PROJECT BUDGET SUMMARY (continued)

Budget Category	Total Project Budget
Jurisdictional Review/Plan Check/Permit	\$ 20,000
County Services	
Code Compliance and Quality Control Inspections	\$ 50,000
Design Review	\$ 0
Design Services	\$ 150,000
Contract Administration	\$ 25,000
AED Support Services	\$ 0
Project Management	\$ 160,000
Project Management Support Services	\$ 0
Secretarial	\$ 10,000
Document Control	\$ 10,000
Survey/Mapping and Property Mgmt.	\$ 75,000
Programs Development	\$ 45,000
Geotechnical and Material Engineering	\$ 60,000
Traffic and Lighting	\$ 10,000
Construction	\$ 15,000
Project Security	\$ 0
Project Technical Support	\$ 25,000
Consultant Contract Recovery	\$ 25,000
Office of Affirmative Action	\$ 10,000
County Counsel	\$ 250,000
Emergency Response and Temporary Repairs Activities	\$ 210,000
Other	\$ 0
Subtotal	\$ 1,130,000
Total	\$ 2,700,000

May 10, 2011

ENCLOSURE B

**COLIMA ROAD SLOPE FAILURE REPAIR PROJECT
HACIENDA HEIGHTS
ADOPT MITIGATED NEGATIVE DECLARATION – APPROVE PROJECT BUDGET
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**PROGRAM FOR REPORTING AND MONITORING THE
IMPLEMENTATION OF ENVIRONMENTAL MITIGATION MEASURES**

The project includes other standard mitigation measures as discussed in Section XVIII of the Negative Declaration.

Program Management

Responsibility for monitoring and reporting compliance with mitigation measures, if any, shall be designated by Public Works as appropriate.

To facilitate implementation and enforcement of this program, Public Works shall ensure that the obligation to monitor and report compliance with environmental mitigation measures is required by all project-related contracts between the County and architect/engineer, prime construction contractor, and any other person or entity who is designated to monitor and/or report compliance under this program during the preconstruction and construction phases.

Public Works shall take all necessary and appropriate measures to ensure that each project-related environmental mitigation measure is implemented and maintained.

Preconstruction

Public Works is responsible for incorporating mitigation measures into project design and confirming in writing that final construction drawings include all design-related mitigation measures.

Construction

Public Works or prime construction contractor for project and/or for project-related off-site improvements is responsible for constructing and/or monitoring the construction of mitigation measures incorporated in final construction documents and reporting instances of noncompliance in writing.

Public Works or prime construction contractor for project and/or for project-related off-site improvements is responsible for implementation and/or monitoring the implementation of mitigation measures affecting methods and practices of construction (e.g., hours of operation, noise control of machinery) and reporting instances of noncompliance in writing.

Public Works is responsible for monitoring compliance of prime construction contractor(s) with responsibility set forth above and reporting noncompliance in writing.

Project Operation

After completion and final acceptance of the project, Public Works is responsible for monitoring and maintaining compliance with adopted mitigation measures, which affect project operation.

May 10, 2011

ENCLOSURE C

**COLIMA ROAD SLOPE FAILURE REPAIR PROJECT
HACIENDA HEIGHTS
ADOPT MITIGATED NEGATIVE DECLARATION – APPROVE PROJECT BUDGET
ADOPT, ADVERTISE, AND AWARD
(FOURTH DISTRICT) (3 VOTES)**

PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code Section 20125, you may publish once a week for two weeks in a weekly newspaper or ten times in a daily newspaper. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331.

**OFFICIAL NOTICE
INVITING BIDS**

Notice is hereby given that the Director of Public Works will receive sealed bids for furnishings, materials, labor, and equipment required to complete construction for the following work:

<u>SD</u>	<u>PROJECT</u>	<u>BID DOC. FEE</u>	<u>DATE OF BID OPENING</u>
4	Colima Road Slope Failure Repair Project Hacienda Heights, CA 91745	\$25	June 7, 2011

Copies of the project manual and drawings may be obtained at the Cashier's office, Department of Public Works, 900 South Fremont Avenue, Mezzanine Floor, Alhambra, California 91803, for the fee stated above. For bid information, please call (626) 458-2563. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's office no later than 10:45 a.m. on the date indicated. Bids will be publicly opened, examined, and declared by Public Works at 11 a.m. on this date in Architectural Engineering Division's Conference Room, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803.

Bids must conform to the drawings and project manual and all bidding requirements. This project requires the prime contractor to possess an active A license classification at the time of bid submittal. The contractor should verify to his/her satisfaction that he/she holds the specified license. The contractor and all of its subcontractors of any tier shall be required to pay prevailing wages to all workers employed in the execution of the project in accordance with Labor Code Section 1770 et seq. Copies of prevailing rate of per diem wages are on file at Public Works' Architectural Engineering Division, which shall be made available to any interested party upon request.

PRE-BID CONFERENCE

The Public Works' Project Management Team will hold a nonmandatory prebid conference at 10 a.m. on May 24, 2011, at the project job site to provide information on the project, bidding process, and answer any questions that the potential bidders may have. For further directions, please contact Kathleen Gandara with Public Works' Architectural Engineering Division at (626) 458-2566.

OTHER INSTRUCTIONS

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts, as defined in Section 2000 of the Public Contract Code, to contract with Community Business Enterprises.

The project is subject to State Water Resources Control Board's new Construction General Permit effective July 1, 2010, for discharges of storm water runoff associated with the construction and land disturbance activities. Bidders are expected to understand and be responsible for all activities required by the State regarding these new requirements.

The Board of Supervisors reserves the right to reject any or all bids or to waive technical or inconsequential errors and discrepancies in bids submitted in the public's interest.

Si necesita información en español, por favor llame al Telefono (626) 300-3289.



Upon 72 hours notice, Public Works can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, program documents are available at our main office in Alhambra (900 South Fremont Avenue), which is accessible to individuals with disabilities. To request accommodations ONLY, or for more ADA information, please contact our departmental ADA Coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7 a.m. to 5:30 p.m.



Con 72 horas de noticia, el Departamento puede proveerle información y publicaciones sobre el programa y formatos alternativos o hacer adaptaciones para incapacitados. Además, documentación sobre el programa está disponible en nuestra oficina principal en Alhambra (900 South Fremont Avenue), la cual es accesible para individuos con incapacidades. Para solicitar adaptaciones SOLAMENTE, o para mas información del ADA, pongase en contacto con nuestro Coordinador del ADA del Departamento al (626) 458-4081 o TDD (626) 282-7829, de lunes a jueves de las 7 a.m. a 5:30 p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California dated May 10, 2011.

SACHI A. HAMAI, EXECUTIVE OFFICER
OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES